

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ALBANY DIVISION**

Shelia Green,

Plaintiff,

vs.

CBV Collections, Inc.,  
a domestic corporation,

Defendant.

Case No.:

**COMPLAINT**

**JURY TRIAL DEMAND**

NOW COMES THE PLAINTIFF, SHELIA GREEN, BY AND THROUGH  
COUNSEL, Matthew Landreau, and for her Complaint against the Defendant,  
pleads as follows:

**JURISDICTION**

1. This court has jurisdiction under the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. §1692k(d) and 28 U.S.C. §§1331,1337.

**VENUE**

2. The transactions and occurrences which give rise to this action occurred in the City of Americus, Sumter County, Georgia.
3. Venue is proper in the Middle District of Georgia, Albany Division.

### **PARTIES**

4. Plaintiff is a natural person residing in City of Americus, Sumter County, Georgia.
5. The Defendant to this lawsuit is CBV Collections, Inc., which is a foreign corporation that conducts business in the State of Georgia.

### **GENERAL ALLEGATIONS**

6. Defendant is attempting to collect a consumer type debt allegedly owed by Plaintiff to After Hour Care Americus in the amount of \$86.00 (“the Alleged Debt”).
7. Plaintiff disputes the Alleged Debt.
8. On February 11, 2019, Plaintiff obtained her Equifax credit disclosure and noticed Defendant reporting the Alleged Debt.
9. On or about April 16, 2020, Plaintiff sent Defendant a letter disputing the Alleged Debt.
10. On April 18, 2020. A prospective lender, Kaybee of Macon, obtained Plaintiff’s Equifax credit file.
11. On May 16, 2020, a prospective lender, Premier Used Car, obtained Plaintiff’s Equifax credit file.

12. On May 19, 2020, six prospective lenders, C&F Finance Company, Capital One, Ally Financial, Global Lending Services, Wells Fargo, and West Lake Service Inc., obtained Plaintiff's Equifax credit file.
13. On June 16, 2020, Plaintiff obtained her Equifax credit disclosure, which showed Defendant last reported the tradeline reflected by the Alleged Debt to Equifax on April 30, 2020 and failed or refused to flag the tradeline as disputed, in violation of the FDCPA.
14. In the credit reporting industry, data furnishers, such as the Defendant, communicate electronically with the credit bureaus.
15. Defendant had more than ample time to instruct Experian, Equifax, and Trans Union to flag its trade line as Disputed.
16. Defendant's inaction to have its trade line on Plaintiff's credit reports flagged as disputed was either negligent or willful.
17. Plaintiff suffered pecuniary and emotional damages as a result of Defendant's actions. Her credit report continues to be damaged due to the Defendant's failure to properly report the associated trade line.

#### **VIOLATION OF THE FAIR DEBT COLLECTION PRACTICES ACT**

18. Plaintiff reincorporates the preceding allegations by reference.

19. At all relevant times, Defendant, in the ordinary course of its business, regularly engaged in the practice of collecting debts on behalf of other individuals or entities.

20. Plaintiff is a "consumer" for purposes of the FDCPA, and the account at issue in this case is a consumer debt.

21. Defendant is a "debt collector" under the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. §1692a(6).

22. Defendant's foregoing acts in attempting to collect this Alleged Debt violated the following provisions of the FDCPA:

- a. 15 U.S.C. §1692e(8) by communicating to any person credit information, which is known to be false or should be known to be false, including failure to report a disputed debt as disputed.

23. To date, and as a direct and proximate cause of the Defendant's failure to honor its statutory obligations under the FDCPA, the Plaintiff has continued to suffer from a degraded credit report and credit score.

24. Plaintiff has suffered economic, emotional, general, and statutory damages as a result of these violations of the FDCPA.

**WHEREFORE, PLAINTIFF PRAYS** that this court grant her a judgment against Defendant for actual damages, costs, interest, and attorneys' fees.

**DEMAND FOR JUDGMENT RELIEF**

Accordingly, Plaintiff requests that the Court grant her the following relief against the Defendant:

- a. Actual damages;
- b. Statutory damages; and
- c. Statutory costs and attorneys' fees.

**JURY DEMAND**

Plaintiff hereby demands a trial by Jury.

DATED: July 27, 2020

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